

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3550 OF 2007

Office Notes, Office Memoranda of :
coram, appearances, Court's Orders: Court's or Judge's orders
or directions and Registrar Orders:

Mr.V.V. Purwant for the applicant.

Mrs.M.M. Deshmukh, A.P.P. for the State.

CORAM : D.G. KARNIK, J.

DATE : 4TH DECEMBER 2007

P.C. :

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. This application for bail is made by the applicant on the ground that he is in jail for a period of more than 1 1/2 years. The charge against the accused is serious. The alleged offence is punishable under sections 302, 341, 143, 147, 148 and 149 of the I.P.C. There are eye witnesses to the crime. One of the eye witnesses is the wife of the deceased. There are even other eye witnesses. Prima facie, the statements of the witnesses implicate the applicant.

3. Learned A.P.P. submits that in the event the applicant is released on bail, he is likely to tamper with the witnesses and give threats to the witnesses. He therefore seriously opposes the application even on that ground.

4. Taking an overall view of the matter and taking into consideration that there are eye witnesses and the submission of the A.P.P. that there is a possibility of the applicant giving threats to the witnesses, it would not be appropriate to grant bail to the applicant at this stage. In the circumstances, the application is rejected.

(D.G. KARNIK, J.)